

SENATE BILL NO. 238—SENATOR MANENDO (BY REQUEST)

MARCH 14, 2011

Referred to Committee on Transportation

SUMMARY—Revises provisions concerning the Advisory Board on Automotive Affairs. (BDR 43-994)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to motor vehicles; increasing the membership and revising the duties of the Advisory Board on Automotive Affairs; establishing certain qualifications for membership on the Board; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

The Advisory Board on Automotive Affairs consists of seven members appointed by the Governor. One member represents the Department of Motor Vehicles, the general public is represented by two members, and body shops, automobile wreckers, garages and salvage pools are each represented by one member. The Board's duties include: (1) studying the regulation of the businesses and industries that are represented on the Board; (2) analyzing and advising the Department with respect to consumer complaints relating to those businesses and industries; and (3) making recommendations to the Department for regulations or legislation concerning those businesses and industries. Before each regular session of the Legislature, the Board prepares a report of its activities and recommendations for submission to the Governor and the Legislature. (NRS 487.002)

This bill increases the membership of the Board to 10 members. Three new members are added, one to represent each of the following businesses or industries: (1) authorized emissions stations; (2) insurers of motor vehicles; and (3) new or used motor vehicle dealers. This bill also establishes certain qualifications for membership on the Board. Every member must have been a resident of this state for at least 5 years immediately preceding his or her appointment. This bill also requires that at least one of the two members appointed to represent the general public be a resident of a county whose population is less than 55,000 (currently counties other than Clark and Washoe Counties and Carson City). In addition, each member appointed to represent a business or industry must hold the appropriate license or registration to engage in that business or industry and must have been actively engaged in that business or industry for at least 3 of the 5 years immediately preceding his or her appointment. Finally, this bill requires the Board



25 to extend the scope of its existing duties to include all the businesses and industries,
26 except for insurers of motor vehicles, that are represented on the Board.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 487.002 is hereby amended to read as follows:
2 487.002 1. The Advisory Board on Automotive Affairs,
3 consisting of ~~{seven}~~ 10 members appointed by the Governor, is
4 hereby created within the Department.

5 2. The Governor shall appoint to the Board:
6 (a) One representative of the Department;
7 (b) One representative of licensed operators of body shops;
8 (c) One representative of licensed automobile wreckers;
9 (d) One representative of registered garage operators;
10 (e) One representative of licensed operators of salvage pools;

11 ~~{and}~~
12 (f) ~~{Two—representatives}~~ *One representative of licensed*
13 *operators of authorized emissions stations;*

14 (g) *One representative of licensed insurers of motor vehicles;*

15 (h) *One representative of licensed new or used motor vehicle*
16 *dealers; and*

17 (i) *Two representatives of the general public H, at least one of*
18 *whom must be a resident of a county whose population is less than*
19 *55,000. A member appointed pursuant to this paragraph must not*
20 *be:*

21 (1) *A holder of a license or registration identified in*
22 *paragraphs (b) to (h), inclusive; or*

23 (2) *The spouse or the parent or child, by blood, marriage or*
24 *adoption, of a holder of such a license or registration.*

25 3. *Each member appointed must, at the time of his or her*
26 *appointment, have been a resident of this State for at least 5 years*
27 *immediately preceding the appointment. Each member who is*
28 *appointed to represent a business or industry specified in*
29 *paragraphs (b) to (h), inclusive, of subsection 2, must, at the time*
30 *of his or her appointment:*

31 (a) *Hold a license or registration to engage in the business or*
32 *industry that the member is appointed to represent; and*

33 (b) *Have been actively engaged in the business or industry that*
34 *the member is appointed to represent for at least 3 of the 5 years*
35 *immediately preceding the appointment.*

36 4. After the initial terms, each member of the Board serves a
37 term of 4 years. The members of the Board shall annually elect from
38 among their number a Chair and a Vice Chair. *The Chair is not*



1 *entitled to a vote except to break a tie.* The Department shall
2 provide secretarial services for the Board.

3 ~~[4.]~~ 5. The Board shall meet regularly at least twice each year
4 and may meet at other times upon the call of the Chair ~~[.]~~ *or a*
5 *majority of the members of the Board. Six members of the Board*
6 *constitute a quorum, and a quorum may exercise all the power*
7 *and authority conferred on the Board.* Each member of the Board
8 is entitled to the per diem allowance and travel expenses provided
9 for state officers and employees generally ~~[.]~~

10 ~~—5.]~~ *while attending meetings of the Board.*

11 6. The Board shall:

12 (a) Study the regulation of garage operators, automobile
13 wreckers , ~~[and]~~ operators of body shops ~~[and]~~ , *operators of*
14 *salvage pools, operators of authorized emissions stations and new*
15 *and used motor vehicle dealers,* including, without limitation, the
16 registration or licensure of such persons and the methods of
17 disciplinary action against such persons;

18 (b) Analyze and advise the Department relating to any consumer
19 complaints received by the Department concerning garage
20 operators, automobile wreckers , ~~[or]~~ operators of body shops , ~~[or]~~
21 *operators of* salvage pools ~~[.]~~ , *operators of authorized emissions*
22 *stations and new and used motor vehicle dealers;*

23 (c) Make recommendations to the Department for any necessary
24 regulations or proposed legislation pertaining to paragraph (a)
25 or (b);

26 (d) On or before January 15 of each odd-numbered year, prepare
27 and submit a report concerning its activities and recommendations
28 to the Governor and to the Director of the Legislative Counsel
29 Bureau for transmission to the Legislature ~~[.]~~ *and the Chairs of the*
30 *Senate and Assembly Standing Committees on Transportation;*
31 and

32 (e) Perform any other duty assigned by the Department.

33 7. *As used in this section, “authorized emissions stations”*
34 *means stations licensed by the Department pursuant to NRS*
35 *445B.775 to inspect, repair, adjust or install devices for the control*
36 *of emissions of motor vehicles.*

37 **Sec. 2.** 1. The terms of the current members of the Advisory
38 Board on Automotive Affairs appointed pursuant to paragraph (f) of
39 subsection 2 of NRS 487.002 expire on June 30, 2011.

40 2. As soon as practicable after July 1, 2011, the Governor shall
41 appoint to the Advisory Board on Automotive Affairs the members
42 required by paragraphs (f) to (i), inclusive, of subsection 2 of NRS
43 487.002, as amended by section 1 of this act. The initial term of the
44 members appointed pursuant to paragraphs (f) and (g) of subsection
45 2 of NRS 487.002 as amended by section 1 of this act expire on



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1 June 30, 2013. The initial term of the member appointed pursuant to
2 paragraph (h) of subsection 2 of NRS 487.002 as amended by
3 section 1 of this act expires on June 30, 2015. The initial term of one
4 member appointed pursuant to paragraph (i) of subsection 2 of NRS
5 487.002 as amended by section 1 of this act expires on June 30,
6 2013, and the initial term of the other member appointed pursuant to
7 paragraph (i) of subsection 2 of NRS 487.002 as amended by
8 section 1 of this act expires on June 30, 2015.

9 **Sec. 3.** Notwithstanding the amendatory provisions of this act,
10 a member of the Advisory Board on Automotive Affairs who was
11 appointed pursuant to paragraphs (a) to (e), inclusive, of subsection
12 2 of NRS 487.002 and who is serving a term on July 1, 2011, is
13 entitled to serve out the remainder of the term to which he or she
14 was appointed.

15 **Sec. 4.** 1. This section and section 2 of this act become
16 effective upon passage and approval.

17 2. Sections 1 and 3 of this act become effective on July 1,
18 2011.

